

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Defendant's Motion was filed and served on December 2, 2016. Pursuant to the Court's Order, the Government's response deadline is December 16, 2016.

2. Counsel for the Government needs additional time to prepare a response, taking into account due diligence.

3. The Defendant is incarcerated, but he does not object to the continuance of the Government's response deadline.

4. The trial in this matter is presently set for April 10, 2017. Consequently, the requested extension of the Government's response deadline is not likely to affect the present trial setting.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow the Government adequate time to prepare a response.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

7. This is the first stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion response deadline.

## **CONCLUSIONS OF LAW**

The additional time requested herein is not sought for purposes of delay, but merely to allow the Government adequate time to prepare a response. The failure to grant said continuance would likely result in a miscarriage of justice.

## **ORDER**

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's Motion to Suppress is extended until December 30, 2016. The Defendant's reply, if any, shall be due on or before January 6, 2017.

George Foley Jr.  
UNITED STATES MAGISTRATE JUDGE

DATED: December 19, 2016